

CHAPTER 7

Rules and Regulations for Designated Hospitals

Standards for the Designation of Hospitals

Section 1. Authority. This Chapter is promulgated by the Department of Health (“the Department”) pursuant to the Involuntary Commitment Act, (“the Act”) at W.S. § 25-10-101, *et seq.*, and the Wyoming Administrative Procedure Act at W.S. § 16-3-101, *et seq.*

Section 2. Purpose and Applicability.

(a) These rules have been adopted to establish standards for the designation of hospitals and to define the conditions under which the Department may enter into a contract with a designated hospital or other licensed treatment facility for the inpatient psychiatric treatment of persons with mental illness pursuant to W.S. § 25-10-104.

(b) The Department may issue manuals, bulletins or both to interpret the provisions of these rules. Such manuals and bulletins shall be consistent with and reflect the policies contained in these rules and regulations. The provisions contained in manuals or bulletins shall be subordinate to the provisions of these rules and regulations.

Section 3. Designated Hospital Requirements.

(a) Designated hospitals, which bill the Department for services pursuant to W.S. § 25-10-112, shall have a safe and secure location to hold an individual who is emergently detained under W.S. § 25-10-109, with or without law enforcement or volunteer assistance.

(b) Designated hospitals shall provide treatment services with the patient’s consent and/or allow access to the patient by community mental health center staff or the patient’s private mental health provider for purposes of providing treatment with the patient’s consent. Treatment services may be provided without patient consent or the consent of his parent or guardian when treatment is limited to diagnosis or evaluation or when treatment is necessary to prevent immediate and serious physical harm to the person or others pursuant to W.S. § 25-10-109(f).

(c) Designated hospital staff shall have access to ongoing psychiatric consultation services provided by the Wyoming State Hospital for purposes of prescribing and monitoring psychotropic medications. The Wyoming State Hospital shall notify designated hospitals of the process to receive consultative services.

(d) Designated hospital staff shall consult with the Wyoming State Hospital staff in advance of the following anticipated extended hospital stays. This consultation

shall be conducted in a manner to reasonably function as a utilization review of the recommended continued stay.

(i) An anticipated extension of an emergency detention beyond 72 hours; and

(ii) An anticipated extended involuntary hospitalization beyond 14 days.

Section 4. Contracts with Designated Hospitals.

(a) Pursuant to W.S. § 25-10-104, the Department may enter into a contract with a designated hospital for the provision of inpatient psychiatric treatment if the designated hospital meets any of the following qualifications:

(i) A hospital which meets the “special provisions applying to psychiatric hospitals,” pursuant to 42 CFR § 482.60, as being qualified to treat persons with mental illness;

(ii) A general hospital with a specific inpatient psychiatric unit;

(iii) A hospital without a specific inpatient psychiatric unit with psychiatric services available, to include a psychiatrist as a member of the medical staff of the hospital; or

(iv) Other licensed treatment facilities and limited licensed hospitals which have psychiatrists available for consultation.

(b) To enter into a contract with the Department, the hospital or facility must submit a letter of intent to the Wyoming State Hospital. Enclosed with the letter of intent must be the following documents:

(i) A copy of the hospital or facility’s license issued by the state survey agency; and

(ii) A copy of the hospital or facility’s most recent JCAHO or CARF accreditation certificate and/or Centers for Medicare and Medicaid (CMS) certification.

(c) Once verification of all documents has been completed by the Wyoming State Hospital, notification of acceptance or rejection will be provided to the hospital. If the hospital is accepted, a contract outlining the hospital or facility’s responsibilities with regard to accepting patients and providing treatment for persons with mental illnesses, as defined in W.S. § 25-10-110, will be initiated.

(d) Contract extensions or the development of new contracts will be completed annually pending receipt by the Wyoming State Hospital of the documents listed in Section 4(b)(i) and (ii).

Section 5. Visitation to Designated Hospitals. The Wyoming Department of Health or its designee will conduct annual visits to designated hospitals pursuant to W.S. § 25-10-104(d) and review compliance with these rules and with the contract requirements as applicable.

Section 6. Implementation of Chapter.

(a) The order in which the provisions of this Chapter appear is not to be construed to mean that any provision is more or less important than any other provision.

(b) The text of this Chapter shall control the titles of its various provisions.

Section 7. Superseding Effect. When promulgated, this Chapter supersedes all prior rules or policy statements issued by the Department, including manuals and/or bulletins, which are inconsistent with this Chapter.

Section 8. Severability. If any portion of this Chapter is found to be invalid or unenforceable, the remainder shall continue in full force and effect.